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**State of Rhode Island and Providence Plantations**

State House  
Providence, Rhode Island 02903-1196  
401-222-2080

**Donald L. Carcieri**  
Governor

**EXECUTIVE ORDER**

**07-05**

**May 24, 2007**

**EMERGENCY PLANNING**

WHEREAS, on October 17, 1986, President Reagan approved the "Superfund Amendments and Reauthorization Act of 1986," 42 U.S.C. §§ 11001-11050 (the "Act") which contained new provisions for emergency planning; and

WHEREAS, among the provisions of the Act is one that requires the Governor of each state to appoint a State Emergency Response Commission; and

WHEREAS, the Act further authorizes the Governor to designate as the State Emergency Response Commission an existing state agency or an assembly of state agencies or personnel thereof to serve as the Commission; and

WHEREAS, in 1987, the Governor designated the Rhode Island Emergency Management Agency to be the primary agency for implementing the Act's Title II, Sub-Title A requirements and authorized the Departments of Environmental Management and Labor and Training to share primary responsibility for implementing the Act's Title III, Sub-title B requirements; and

WHEREAS, in 1999, the Governor shifted primary responsibility for implementing the Act's emergency planning and notification requirements to the State Fire Marshal's Office and appointed the Fire Marshal as Chair of the Commission; and

WHEREAS, this Administration has sought to centralize emergency management planning and notification in the agency best equipped to handle such

functions and position other state agencies to appropriately support such emergency planning and notification.

NOW THEREFORE, I, DONALD L. CARCIERI, by virtue of the power vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. There is hereby re-established a Rhode Island Emergency Response Commission (the "Commission") which shall consist of the following: the Rhode Island Emergency Management Agency; the State Fire Marshal's Office; the Departments of Labor and Training, Environmental Management and Health, the Division of Planning within the Department of Administration and a representative of the League of Cities and Towns, and such other members as the Governor deems necessary to fulfill the mission of the Commission. The Executive Director of the Emergency Management Agency shall serve as Chairman.
2. The Commission shall continue to perform all emergency planning, notifications, and reporting duties and acts prescribed by the Act.
3. In designating emergency planning districts, the Commission shall continue to use existing political subdivisions or aggregations of existing political subdivisions.
4. The Rhode Island Emergency Management Agency shall serve as the primary agency for implementing the Act's emergency planning and notification requirements and, along with the Department of Environmental Management, shall serve as the primary agency for implementing the Act's reporting requirements. The Emergency Management Agency, in coordination with the Department of Labor and Training, shall have the lead on implementing sections 311 and 312 while the Department of Environmental Management shall continue to be responsible for implementing section 313.
5. The Commission is authorized to accept such funds as may be made available to it or to carry out its responsibilities pursuant to the Act and this Executive Order.
6. In carrying out its responsibilities, the Commission is authorized to call upon any office, department, division, or agency of the state to supply such data, reports or other information it deems necessary.

Each department, office, division or agency of the State is authorized and directed to cooperate with the Commission and to furnish it with such information, staff and technical support as may be required by the Commission.

7. The Commission shall issue a regular report to the Governor twice a year and shall additionally report to the Governor after each emergency operation response performed by the Commission.

This Executive Order shall take effect immediately upon the date hereof and shall supersede Executive Orders 87-6 and 99-5 to the extent inconsistent herewith.

So Ordered:

  
Donald L. Carcieri

Dated: 5/24/07